

Task Force on the Future for Growth and Development in Maryland

April 20, 2009 / 1:00 p.m. to 4:00 p.m.

The Maryland Department of Planning

Baltimore, Maryland

Meeting Summary

Members: Jon Laria, David Beall, Jerry Boden, Karl Brendle, David Carey, Sandy Coyman, Carol Gilbert, Richard Hall, Don Halligan, Frank Hertsch, Brigid Kenney, Vanessa Orlando, Dru Schmidt-Perkins

Attendees: Tad Aburn, Marty Baker, Jamie Bridges, Candace Donoho, Alan Girard, Dave Goshorn, Brad Heavner, Les Knapp, Delegate Steve Lafferty, Rebecca Lewis, Karen McJunkin, Kenneth Noble, John Rhoderick, Hara Wright-Smith

MDP Staff: John Coleman, Amanda Conn, Peter Conrad, Nicole Diehlmann, Pat Goucher, Rich Josephson, Jenny King, John LEOCHA, Stephanie Martins, Marco Merrick, Pat Russell, Shelley Wasserman, David Whitaker

Welcome and Introductions

The Chair, Jon Laria, opened the meeting and briefly summarized the agenda items. He noted that the agenda includes two presentations: The Climate Action Plan and the other on the Nutrient Trading Policy. Also included is a 2009 legislative summary and how this will affect the work of the Task Force. Finally there will be an update of the five workgroups.

Presentation: Climate Action Plan

Mr. Tad Aburn, Maryland Department of the Environment, presented a PowerPoint presentation entitled, "The Climate Action Plan." Maryland is the fourth most vulnerable State to sea level rise.

Mr. Aburn informed the members about the RGGI (Regional Greenhouse Gas Initiative). RGGI is an effort among the 10 Northeast and Mid-Atlantic States to reduce carbon dioxide emissions from electricity generating plants (Maryland is part of this initiative). He also advised that the Greenhouse Gas Reduction Act (GGRA) of 2009 legislation passed.

Mr. Aburn noted that the Climate Action Plan and related topics can all be found on the MDE website.

Mr. Laria asked is the Commission continues. Mr. Aburn responded that their existence is perpetual. Mr. Laria also asked Mr. Aburn exactly how the Task Force on the Future for Growth and Development could assist in this effort or are there simply too many working on it now? Mr. Aburn responded that the Task Force's input would be helpful.

Mr. Beall asked about the base vehicle emissions annually per vehicle. He further commented about the VEIP program.

Mr. Sandy Coyman asked how VMT's are actively measured. Mr. Aburn said that MDOT collects data to measure them. Mr. Coyman also asked how the 42 recommendations are being handled. Mr. Aburn said they are working on the easy ones first then they will continue to move down the list.

Mr. Don Halligan advised that MDOT is the lead for land use and transportation recommendations.

Mr. Laria said we don't want to duplicate what others have done and would like to have a written set of recommendations for the Task Force to look at which includes land use and transportation. Mr. Halligan stated that he could provide these recommendations.

Presentation: Phase II of the Nutrient Trading Policy

Mr. John Rhoderick, Maryland Department of Agriculture, presented a PowerPoint presentation entitled: Phase II of the Nutrient Trading Policy. Mr. Rhoderick explained that nutrient trading is a program to provide to Maryland farmers a payment for conservation practices. Seventeen States have water quality programs. Maryland is one of the last States to adopt a nutrient trading policy. Mr. Rhoderick said that several public meetings have been scheduled next month. It is expected that the policy will be adopted by June. MDA is also working on a web based nutrient trading tool that will be available for the public.

Mr. Rhoderick noted that further Nutrient Trading Policy information can be found on the Maryland Department of Agriculture website, along with pertinent links.

Mr. Laria asked members to give some thought to this presentation; look at areas where we can or should be connected, and let him know your thoughts. Also look at how it might impact the preservation issues that we have been looking at.

Legislative Session Report and Briefing

Ms. Amanda Conn presented an update on the following three Bills:

Planning Visions Bill:

Bill was adopted without amendment. APFO reporting requirements will take place every two years.

Planning Visions bill will have a TDR/PFA program enabling authority. The Planning Visions bill will become effective October 1, 2009.

Terrapin Run:

Bill adopted and clarified consistency for certain actions of state and local government and provided for a slightly different definition of consistency in the PFA. By 2010, all Board of Appeals and Planning Commission members will have to take an education course on the importance of the comprehensive plan. There will be an on-line education course developed by MDP that will satisfy the education course requirement.

Effective date of bill – July 1, 2009.

Indicators & Measures:

Bill adopted and requires charter counties to complete an annual report. All jurisdictions, with the exception of those that issue less than 50 building permits per year, must include specified smart growth measures and indicators in the annual report by July 1, 2011. Statewide land use goal – increase growth in the PFA, and decrease on the outside was added to the bill and local jurisdictions are required to set a percentage goal towards meeting the statewide goal. The local goal and incremental progress towards meeting that goal must also be included in the annual report.

Effective date of bill – June 1, 2009.

Mr. Hall thanked many; including members of the Task Force, for their hard work in getting these bills passed. He stated that the bills largely evolved from the Task Force Report. He further stated that these are good bills and will help to move smart growth in Maryland.

Mr. Halligan briefly reported on the Transit Oriented Development Bill (TOD), saying this was a very technical bill. Mr. Halligan thanked everyone who helped with this bill and thanked Mr. Laria for testifying.

Ms. Gilbert noted two other Bills of interest, The Local Government Infrastructure Finance Bill (LGIF) (effective July 1, 2009) and the Community Land Trust Bill – one of the recommendations of the Task Force.

Mr. Laria noted that the Maryland Historic Tax Credit Bill was a hot issue, but unfortunately the Bill did not make it out of the Senate and subsequently died. The program will continue through the 2010 sunset unless a reauthorization can be worked out during the 2010 Legislative Session.

Mr. Laria said that the legislation that made its way into the Governor's package will have some significant impact on smart growth. Mr. Laria said he is grateful to the staff at MDP that worked hard on these bills and to the members of the Task Force. The process worked very well and a lot of people compromised to help move this legislation along.

Mr. Laria said the Task Force should feel good about its existence and purpose and the affect it will have in the next two years.

Workgroup Updates

- Conflicts/Inefficiencies

Mr. Hertsch reported that the first meeting was a conference call. They developed a list of 10-12 potential conflicts and are working on refining the list. This list will be sent to people outside this Task Force (in the form of a survey) who can provide insight as to whether these conflicts are real and/or are there others. The final copy of the list should be available for distribution in the next couple of weeks. For anyone requesting a copy, Mr. Hertsch said he will provide a copy by e-mail.

- Land Preservation/TDR

Ms. Schmidt-Perkins reported that the workgroup has had one meeting so far. She said this is a good group of people, and they are scoping out what it means to have this workgroup – their goals and definition. There are a number of outside issues to look at. Two of the goals identified are to ensure that Maryland has a sustainable/viable agriculture industry and ensuring Maryland protects water and other natural resources.

Mr. Beall reported that they also discussed TDR's and does it work? Mr. Beall said they started to come up with ideas as to what TDR's work and what does not work and in what situations. Also need to look at carbon credit exchange and how it affects land preservation.

The next meeting of this workgroup is scheduled for May 14th.

- Education

Mr. Peter Conrad reported on the status of this workgroup. The workgroup has met two times. They are looking at the target audience and how well they are working with the education offering. Discussion involved what is smart growth – 12 new visions and 10 smart growth principles and looking at them together. The target audience is kindergarten through 12, general public, local planners, elected officials, environmental groups, etc. The delivery mechanism is the web offering, media, and town meetings.

- Indicators

Mr. Coyman said the co-chairs for this workgroup got together to discuss approach. The first meeting of this workgroup is scheduled for May 4th. The group plans to make a recommendation to the Task Force by July 1st.

- PFA/Schools

Mr. Laria indicated that two of the co-chairs for this workgroup are not at the meeting today. He advised that Derick Berlage is now the new Planning Director for St. Mary's County. The previous Director, Denis Canavan, passed away. Mr. Laria said he would like to keep Mr. Berlage engaged in the work of the Task Force. He also noted that Gerrit Knaap had a scheduling conflict.

Mr. Laria gave a brief overview of the workgroup, explaining that it began as two groups in February, which was a very good group. It was then decided to put the two groups

together. So far, there has been one meeting. David Whitaker is working on a piece regarding a schools work plan and will be circulated when ready. Mr. Laria said more focus should be directed on PFA's in general. Need to get additional resources. Deadline for the work plan is November 1st. The work plan will be hard to accomplish by this time; trying to get the right people and look at the fundamental goals and targeting piece as well.

- Revitalization Study

Ms. Carol Gilbert reminded the members that there were two recommendations in the Task Force Report about revitalization. DHCD has formed an internal group and developed a draft scope for study to address these recommendations. The group is currently working on a scope of work with a July deadline. Need to connect with lenders, developers, MHT, etc.

Other

Ms. Schmidt-Perkins informed the members that there will be two programs on MPT tomorrow evening – one involves the impact on sprawl and the other is on the Chesapeake Bay.

Mr. Beall also noted there is a program on Friday, April 24th with the Department of Agriculture regarding the history of a farm in Carroll County.

Mr. Hall introduced Richard Josephson. Mr. Josephson will be working with the Department of Planning's "Planning" unit as the new Director of Planning Services. Mr. Josephson worked for Anne Arundel County and most recently the City of Alexandria, Virginia before coming here.

In closing, Mr. Laria noted that the workgroups are really starting to engage, and looks forward to everyone coming back with further discussion. Mr. Laria asked everyone to please stay focused and participate actively.

The meeting adjourned at 3:30 pm.